

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
ALBERTO GONZALEZ,

Plaintiff,

-against-

NAKED SPECIES, LLC,

Defendant.
----- X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 08/14/2020

19-CV-11571 (VEC)

ORDER

VALERIE CAPRONI, District Judge:

WHEREAS on August 14, 2020, the Court held a telephonic hearing for Defendant to show cause why default judgment should not be entered;

WHEREAS Defendant failed to appear;

WHEREAS the Court, for the reasons stated at the hearing, concluded that Defendant defaulted and that Plaintiff is entitled to \$3,000 in statutory damages; and


WHEREAS Plaintiff's counsel, James Freeman of Liebowitz Law Firm, PLLC, failed to answer basic questions about counsel's request for attorney's fees, including the billing increment that the firm uses;

IT IS HEREBY ORDERED that Plaintiff's counsel must submit a supplemental declaration, no later than close of business on **August 17, 2020**. The supplemental declaration must either revise counsel's fee request or provide sufficient facts to explain: (1) how 2.5 hours were expended towards reviewing the case file and drafting the complaint, which is a form complaint of four pages that Plaintiff's counsel has recycled countless times in this district, including in other cases before the undersigned; (2) how half an hour was spent "[p]rocessing service of summons and complaint"; (3) how an hour was spent drafting the application for

default judgment, including the attorney declaration, when the declaration is largely a cut-and-paste from declarations that Plaintiff has previously submitted in this district; and (4) the smallest time increment used for billing purposes at the Liebowitz Law Firm, PLLC. The Court will issue a default judgment inclusive of damages and Plaintiff's fees and costs upon submission of a satisfactory response.

SO ORDERED.

Date: August 14, 2020
New York, NY



VALERIE CAPRONI
United States District Judge